

JUN 10 2002

Atty Docket: BARENHOLTZ=1A

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application ) Application Division  
Yechezkel BARENHOLTZ ) ATTN: BOX MISSING PARTS  
Serial No.: 10/673,365 ) Washington, D.C.  
Filing Date: February 31, 2002 ) Confirmation No. 5480  
For: LIPOSOMAL FORMULATIONS COMPRISING A ... ) Monday, June 10, 2002

LATE SUBMISSION OF FILING FEE AND/OR DECLARATION  
FILED UNDER 37 CFR 1.53(b)

HON. COMMISSIONER OF PATENTS

Washington, D.C. 20231

Sir:

The present communication is in response to the "NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION..." dated April 8, 2002.

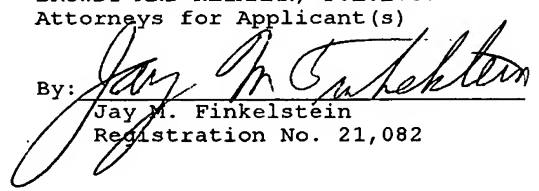
- [XX] Attached hereto is an executed oath or declaration in compliance with 37 C.F.R. 1.63, identifying the present application by title, filing date, and provisional information.
- [ ] Attached hereto is an executed oath or declaration in compliance with 37 C.F.R. 1.63, identifying the present application by title, serial number, filing date and priority information, and to which is attached a duplicate copy of the application as filed.
- [XX] Applicant claims small entity status. See 37 CFR 1.27.
- [ ] A Communication.
- [ ] Preliminary Amendment.
- [ ] A certified copy of priority document no. \_\_\_\_\_, filed \_\_\_\_\_, is also attached. Priority is claimed.
- [ ] An Information Disclosure Statement with 08A-1449 and \_\_\_\_\_ references is also attached.

The following fee is calculated below:

	(Col. 1)	(Col. 2)	SMALL ENTITY			OTHER THAN SMALL ENTITY	
FOR:	NO. FILED	NO. EXTRA	RATE	FEE	OR	RATE	FEE
BASIC FEE				\$370.00	OR		\$740.00
TOTAL CLAIMS	49 - 20	29	X 9 =	\$261.00		X 18 =	\$
INDEP. CLAIMS	8 - 3	5	X 42 =	\$210.00		X 84 =	\$
[ ] MULTIPLE DEPENDENT CLAIMS PRESENTED			+ 135 =	\$		+ 280 =	\$
If the difference in Col. 1 is less than 0, enter "0" in Col. 2			TOTAL	\$841.00		TOTAL	\$

- [ ] Surcharge for late filing of English translation \$ 130.00
- [XX] Late filing of Declaration surcharge in the amount of:  
Small Entity [XX] \$65.00 Other than Small Entity [ ] \$130.00
- [ ] It is hereby petitioned for an extension of time in accordance with 37 C.F.R. 1.136(a). The appropriate fee required by 37 C.F.R. 1.17 is calculated as shown below:
- |                             |                             |
|-----------------------------|-----------------------------|
| Small Entity                | Other Than Small Entity     |
| Response Filed Within       | Response Filed Within       |
| [ ] First - \$ 55.00        | [ ] First - \$ 110.00       |
| [ ] Second - \$ 200.00      | [ ] Second - \$ 400.00      |
| [ ] Third - \$ 460.00       | [ ] Third - \$ 920.00       |
| [ ] Fourth - \$ 720.00      | [ ] Fourth - \$1,440.00     |
| Month After Time Period Set | Month After Time Period Set |
- [XX] Conditional Petition for Extension of Time:  
If any extension of time for a response is required, applicant requests that this be considered a petition therefor.
- [ ] Check No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ is enclosed to cover the above fees.
- [ ] Credit Card Payment Form, PTO-2038, authorizing payment in the amount of \$906.00 is enclosed to cover the fees.
- [XX] The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR 1.16 and all patent processing fees under 37 CFR 1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR 1.18.

BROWDY AND NEIMARK, P.L.L.C.  
Attorneys for Applicant(s)

By:   
Jay M. Finkelstein  
Registration No. 21,082

JMF:sfg

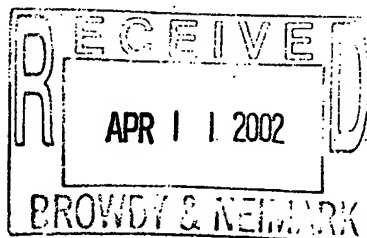


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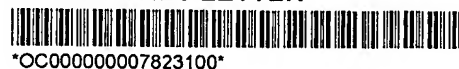
APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/073,365	02/13/2002	Yechezkel Barenholtz	BARENHOLTZ=1A

001444  
BROWDY AND NEIMARK, P.L.L.C.  
624 NINTH STREET, NW  
SUITE 300  
WASHINGTON, DC 20001-5303



CONFIRMATION NO. 5480

FORMALITIES LETTER



\*OC000000007823100\*

Date Mailed: 04/08/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b).

## Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$942.
  - \$522 for 29 total claims over 20.
  - \$420 for 5 independent claims over 3.
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 1812.

06/13/2002 MBIZUNES 00000057 10073365

01 FC:201 -370.00 OP  
02 FC:205 -65.00 OP  
03 FC:203 -261.00 OP  
04 FC:202 -210.00 OP

of this notice MUST be returned with the reply.

MDuong

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

Adjustment date: 06/18/2002 MBIZUNES  
06/13/2002 MBIZUNES 00000057 10073365

01 FC:201 -370.00 OP  
02 FC:205 -65.00 OP  
03 FC:203 -261.00 OP  
04 FC:202 -210.00 OP

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DKT 4.12.02

06/18/2002 MBIZUNES 00000002 10073365

01 FC:201  
02 FC:205  
03 FC:203  
04 FC:202

370.00 OP  
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261.00 OP  
210.00 OP

